



Customer No. 22,852  
Attorney Docket No. 04853.0071

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Saburo SONE et al. )  
Serial No.: 09/864,364 ) Group Art Unit: 1645  
Filed: May 25, 2001 ) Examiner: Not Yet Assigned  
For: NON-HUMAN ANIMAL )  
EXHIBITING BONE )  
METASTASIS OF TUMOR )  
CELLS )

**Assistant Commissioner for Patents  
Washington, DC 20231**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the document listed on attached Form PTO-1449. A copy of the listed document is attached. Applicants respectfully request that the Examiner consider the document listed on attached Form PTO-1449 and indicate that it was considered by making an appropriate notation on this form.

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This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

The following is listed on the accompanying PTO-1449 and is in a non-English language:

1. T. MIKI et al., "Creation of Models for Multi-Organ Metastases, Including Bone Metastasis, Based on Human Lung Cancer Cell Lines", 9<sup>th</sup> Meeting of The Japanese Association for Metastasis Research (JAMR), Third Department of Internal Medicine, University of Tokushima, June 29-30, 2000, Pg. 55.

In lieu of a statement of relevance of the listed non-English language document, an English-language translation of the document setting forth the relevance is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the listed document as prior art against any claim in the application and applicants determine that the cited document does not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should it be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 17, 2001

By:

  
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/sci

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